

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE JOINT MEMORIAL 23

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

RON GENTRY

A JOINT MEMORIAL

**REQUESTING THE UNITED STATES FOREST SERVICE TO PURSUE AN
EXCHANGE OF CHECKERBOARD LAND IN THE CIBOLA NATIONAL FOREST
FOR RESOURCE PROTECTION AND MANAGEMENT PURPOSES.**

**WHEREAS, the United States forest service has as a
management objective the consolidation of so-called
checkerboard lands within the boundaries of the national
forests; and**

**WHEREAS, the United States forest service owns
approximately twenty-six thousand acres of land in a
checkerboard area in the Mount Taylor ranger district of the
Cibola national forest in McKinley and Sandoval counties; and**

**WHEREAS, the public has no right-of-way access to
approximately five thousand to six thousand acres of the
forest service checkerboard area and the right of way to the**

Underscored material = new
[bracketed material] = del ete

Underscored material = new
[bracketed material] = delete

1 remainder of the public checkerboard and over twenty-five
2 thousand acres of private property is clouded in the Mount
3 Taylor ranger district; and

4 WHEREAS, the checkerboard area and the contiguous Mount
5 Taylor ranger district land are the yearlong and summer
6 grazing ranges for approximately four hundred fifty-five
7 cattle owned by S. Sandoval, Jr., George Lucero, the Lucero
8 Brothers partnership and the Marquez family, all of whom are
9 long-time, well-known ranching families in the area; and

10 WHEREAS, without the consolidation of the checkerboard,
11 livestock grazing on private lands may be discontinued, thus
12 resulting in a severe adverse impact to the historic grazing
13 allotment; and

14 WHEREAS, the consolidation of the checkerboard land by
15 exchange with the landowner of the private land within the
16 checkerboard will promote resource protection, including
17 increase in the quality of elk habitat, reduction in road
18 expansion, protection of spotted owl habitat and preservation
19 of the pristine riparian habitat and perennial stream at the
20 bottom of Tapia canyon; and

21 WHEREAS, no negative effects on timber management or
22 harvest have been identified; and

23 WHEREAS, from a fire management standpoint,
24 implementation of an exchange would be beneficial in improving
25 fire suppression efficiency, improving public safety and

. 121711. 1

Underscored material = new
[bracketed material] = delete

1 enhancing opportunities to reduce fuel accumulations and the
2 risks and consequences of wildfires; and

3 WHEREAS, no significant traditional Native American
4 cultural properties have been identified that would be
5 affected by an exchange and no treaty rights have been
6 identified that would be violated by an exchange; and

7 WHEREAS, the owner of the private land within the
8 checkerboard is willing to exchange private land for federal
9 land on a value-for-value basis if the exchange can be
10 completed within one year of entering into an exchange
11 agreement with the forest service; and

12 WHEREAS, without the consolidation, it is anticipated
13 that the private property within the checkerboard will be
14 subdivided into lots and sold to private parties to be
15 developed for summer residences and other uses that will
16 forever foreclose the opportunity to consolidate the public
17 lands for the general enjoyment of the American public; and

18 WHEREAS, because of resource damage to private lands, if
19 the land consolidation does not occur, the forest service can
20 fully expect to be challenged on right of access to public
21 lands, grazing rights and environmental resource damage; and

22 WHEREAS, land consolidation will reduce federal and
23 private property boundaries and will significantly reduce the
24 cost to the forest service for boundary surveys, posting,
25 corner establishment, boundary maintenance and encroachments;

. 121711. 1

Underscored material = new
[bracketed material] = del ete

1 and

2 WHEREAS, a consolidation of public lands will provide for
3 a contiguous blocked-up pattern of federal ownership with an
4 additional forty-three thousand acres of wilderness study area
5 lands and fourteen thousand acres of road closure forest
6 service lands; and

7 WHEREAS, an exchange would eliminate immediate, costly
8 road construction and maintenance obligations for the forest
9 service; and

10 WHEREAS, the land within the checkerboard is essentially
11 the same, thus establishing value-for-value as the basis for
12 exchange of the private and public land, and there will be no
13 adverse consequences to the tax bases of McKinley and Sandoval
14 counties;

15 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
16 STATE OF NEW MEXICO that the United States forest service be
17 asked to pursue an exchange of the private land for public
18 land in order to consolidate the public lands within the
19 checkerboard area of the Mount Taylor ranger district of the
20 Cibola national forest as soon as possible; and

21 BE IT FURTHER RESOLVED, that the United States forest
22 service be encouraged to join with the owner of the private
23 land within the checkerboard area to seek special legislation
24 by congress in order to expedite a consolidation of the public
25 property; and

. 121711. 1

Underscored material = new
[bracketed material] = del ete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BE IT FURTHER RESOLVED that the New Mexico congressional delegation be encouraged to introduce special legislation to accomplish the exchange on behalf of all New Mexicans and the general public; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to officials of the United States forest service and the Cibola national forest and to the members of the New Mexico congressional delegation.

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

3
4
5
6 February 10, 1998

7
8 Mr. Speaker:

9
10 Your GOVERNMENT & URBAN AFFAIRS COMMITTEE, to
11 whom has been referred

12
13 HOUSE JOINT MEMORIAL 23

14
15 has had it under consideration and reports same with
16 recommendation that it DO PASS, amended as follows:

- 17 1. On page 3, strike lines 3 through 6.
- 18
19 2. On page 5, line 3, after "New Mexicans" insert ", any
20 Native American interests".

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 Page 7

4 Respectfully submitted,
5
6
7
8 _____

9
10 Lynda M. Lovejoy, Chairman
11

12 Adopted _____

12 Not Adopted _____

13
14 (Chief Clerk)

14 (Chief Clerk)

15
16 Date _____

17 The roll call vote was 5 For 0 Against

18 Yes: 5

19 Excused: Hobbs, Saavedra

20 Absent: None
21
22
23

24 G:\BILLTEXT\BILLW_98\HJ023
25

. 121711. 1

Underscored material = new
[bracketed material] = delete

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

Page 8

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

February 16, 1998

Mr. President:

Your CONSERVATION COMMITTEE, to whom has been referred

HOUSE JOINT MEMORIAL 23, as amended

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Michael S. Sanchez, Chairman

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

Page 9

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

No: None

Excused: Macias

Absent: None

HJ023C01

Underscored material = new
[bracketed material] = delete

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

Page 10

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

February 16, 1998

Mr. President:

Your CONSERVATION COMMITTEE, to whom has been referred

HOUSE JOINT MEMORIAL 23, as amended

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Michael S. Sanchez, Chairman

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

No: None

Excused: Macias

Absent: None

HJ023C01

Underscored material = new
[bracketed material] = delete